

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



January 2, 1992

ALL COUNTY LETTER NO. 92-01

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: AFDC Federally Mandated Exemptions/Alien Regulations
Revision

HANDBOOK: This Letter Contains Information Updating the AFDC
Notice of Action Handbook

REFERENCE: All County Letter 91-71, July 26, 1991

This All County Letter (ACL) transmits revisions to regulations regarding federally mandated income and property exemptions, income deductions for ineligible alien children; and treatment of income of ineligible alien parents and aided parents with ineligible alien children (RDB #0691-26). These regulations incorporated various suggestions made at Public Testimony after emergency regulations were implemented on August 1, 1991. The revised regulations are effective January 2, 1992. Please refer to ACL 91-71 for retroactive provisions of federally mandated income and property exemptions.

The revised regulations now include clarifications relating to:

- o The computation of unmet needs of ineligible alien children from an aided parent's income at MPP Sections 44-113.14 and 44-133.634;
- o The definition of an ineligible alien parent at MPP Section 44-133.6.

Attachments to this letter include:

- o A copy of the revised regulations (Attachment I);
- o Notice of Action information (Attachment II).

If you have any questions pertaining to the income portion of these regulations, please call LeAnne Torres of the Welfare Policy Implementation Bureau at (916) 654-1047 or ATSS 464-1047. If you have questions regarding the property portion of the regulations, please call Dianna Tollen at (916) 654-1045 or ATSS 464-1045.


ROBERT A. HOREL
Deputy Director

Attachment

40-010 IMPLEMENTATION OF REGULATIONS FOR THE TREATMENT OF
INELIGIBLE ALIEN PARENT INCOME

40-010

- .1 Sections 42-213.2e., r., and .5, et seq.; 44-111.3 b., et seq., d., e., g., h., i., p. and .6, et seq. as amended herein, shall become effective August 1, 1991.
- .2 Sections 44-113.14, .141, and .142; 44-133.33, .336, .6, .61, .611, .612, .62, .631, et seq. and .633 as amended herein, shall become effective August 1, 1991, and shall be implemented as follows:
 - .21 Beginning August 1, 1991, the CWDs shall implement the amended or adopted provisions for all new AFDC cases.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553 and 10554, Welfare and Institutions Code; 45 CFR 233.20(a)(3)(ii)(C); 45 CFR 233.20(a)(3)(vi)(B) and (xiv); 45 CFR 233.20(a)(4)(ii); and Darces v. Woods, 35 Cal. 3d 871.

- .1 Real Property to Be Excluded (Continued)
- .2 Personal Property to Be Excluded (Continued)
 - e. [Reserved] (Continued)
 - r. [Reserved] (Continued)
- .3 (Continued)
- .4 (Continued)
- .5 Other property which is mandatorily and specifically exempt by federal law and shall be exempt from the effective date as specified in federal law.
 - .51 Property which is mandatorily exempt under federal law includes, but is not limited to:
 - .511 Public Law (PL) 92-254 or PL 94-540 which exempts any funds distributed per capita or held in trust for members of any Native American tribe under PL 92-254 or PL 94-540.
 - .512 PL 93-134, PL 97-458 and PL 98-64 which exempt as property the funds of Native American tribes including interest earned from, investment income derived from and initial purchases made with such funds when the funds are:
 - (a) Distributed per capita or held in trust as a result of a judgement awarded by the Indian Claims Commission or U.S. Court of Claims;
 - (b) Distributed by the Secretary of the Interior on a per capita basis or held in trust.
 - .513 PL 100-241 which exempts distributions to a household, individual Native or descendent of a Native when received from a Native Corporation established pursuant to the Alaskan Native Claims Settlement Act (ANCSA). Exempt distributions include:
 - (a) Cash (including cash dividends on stock received from a Native Corporation) to the extent it does not exceed \$2,000 total per person per anum, stock, a partnership interest, land or interest in land, and interest in a settlement trust.
 - .514 PL 100-383 which exempts payments received as restitution made to U.S. citizens and permanent resident aliens of Japanese ancestry.

- .515 PL 100-707 which exempts federal major disaster and emergency assistance provided under the Disaster Relief Act and comparable disaster assistance provided by the state, local governments and disaster assistance organizations.
- .516 PL 101-201 and PL 101-239 which exempt payments received from all Agent Orange settlements.
- .517 PL 101-426 which exempts payments received under the Radiation Exposure Compensation Act.
- .518 PL 101-508 which exempts Earned Income Credit (EIC) payments for the month it is received and the following month.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553, 10554 and 11155.5, Welfare and Institutions Code; and 45 CFR 233.20(a)(4)(ii).

Repeal Section 44-111.3(q) to read:

44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION AS INCOME
(Continued)

44-111

.3 Exemption of Payments from Public Sources

a. (Continued)

b. [Reserved]

c. (Continued)

d. [Reserved]

e. [Reserved]

f. (Continued)

g. [Reserved]

h. [Reserved]

i. [Reserved]

j. (Continued)

k. (Continued)

l. (Continued)

m. (Continued)

n. (Continued)

o. (Continued)

p. [Reserved] (Continued)

q. Earned Income Credit (EIC) payments/ whether received as advance payments or as a single payment at the end of the tax year/ shall be exempt from consideration as income/

HANDBOOK BEGINS HERE

(1) The EIC is for individuals who have a child and who meet the income and other requirements of Section 32 and 2307 of the Internal Revenue Code of 1986/ Based on Internal Revenue Service (IRS) eligibility conditions/ an individual can receive advance payments from an employer/ or a single year-end payment from the IRS/

HANDBOOK ENDS HERE

.4 (Continued)

.5 (Continued)

.6 Other income which is mandatorily and specifically exempt by federal law and shall be exempt from the effective date as specified in federal law.

.61 Income which is mandatorily exempt under federal law includes but is not limited to:

- a. Public Law (PL) 92-254 or PL 94-540 which exempts any funds distributed per capita or held in trust for members of any Native American tribe under PL 92-254 or PL 94-540.
- b. PL 93-134, PL 97-458 and PL 98-64 which exempt as property the funds of Native American tribes including interest earned from, investment income derived from and initial purchases made from such funds when the funds are:
 - (1) Distributed per capita or held in trust as a result of a judgement awarded in Indian Claims Commission or U.S. Court of Claims;
 - (2) Distributed by the Secretary of the Interior on a per capita basis or held in trust.
- c. PL 89-73 which exempts compensation received by recipients 60 years old, or older, for volunteer services performed under the Retired Senior Volunteer Program, the Foster Grandparents Program, or the Older Americans Community Service Program of the National Older Americans Act.
- d. PL 92-433 and PL 93-150 which exempt the value of supplemental food received under the Child Nutrition Act (WIC) and the National School Lunch Act.
- e. PL 93-113 which exempts payments made under the Domestic Volunteer Services Act of 1973 to welfare recipients who are Vista Volunteers, and payments made for supportive services or reimbursement of out-of-pocket expenses made to persons serving in the Service Corps of Retired Executives (SCORE) and the Active Corps of Executives (ACE) pursuant to Section 418.
- f. PL 100-241 which exempts distributions to a household, individual Native or descendent of a Native when received from a Native Corporation established pursuant to the Alaskan Native Claims Settlement Act (ANCSA). Exempt distributions include:

- (1) Cash (including cash dividends on stock received from a Native Corporation) to the extent it does not exceed \$2,000 total per person per annum, stock, a partnership interest, land or interest in land, and interest in a settlement trust.
- g. PL 100-383 which exempts payments received as restitution made to U.S. citizens and permanent resident aliens of Japanese ancestry.
 - h. PL 100-707 which exempts federal major disaster and emergency assistance provided under the Disaster Relief Act and comparable disaster assistance provided by the state, local governments and disaster assistance organizations.
 - i. PL 101-201 and PL 101-239 which exempt payments received from all Agent Orange settlements.
 - j. PL 101-426 which exempts payments received under the Radiation Exposure Compensation Act.
 - k. PL 101-508 which exempts Earned Income Credit (EIC) payments.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553, 10554 and 11008.15, Welfare and Institutions Code; 42 USC Section 602(g)(1)(E)(i); Section 202(a), Public Law 100-485; 45 CFR 224.0(c); 45 CFR 233.20(a)(4)(ii); and 45 CFR 233.20(a)(11)(v)(C).

Amend Section 44-113.14 to read:

44-113 NET INCOME (Continued)

44-113

.14 Deduction for an Ineligible Alien Child(ren) Living in the Home of an Aided Parent

.141 When an ineligible alien child(ren) is living with an eligible sibling or half-sibling, a deduction shall be allowed from ~~the~~ his/her aided parent's income. The deduction to meet the unmet needs of an ineligible alien child(ren) shall be equal to the difference between a Minimum Basic Standard of Adequate Care (MBSAC) for the assistance unit with the ineligible alien child(ren) included, and the MBSAC for the assistance unit only. The maximum deduction shall be reduced by the net nonexempt income, if any, of the ineligible alien child(ren) up to the differential amount attributed to that child(ren) with income.

.142 Where there is an unaided parent of an ineligible alien child(ren) in the home who is not an Ineligible Alien Parent as defined in Section 44-133.6, and that parent is: a parent in common with the aided parent, not a parent of an aided child, and not married to the aided parent, the county shall determine the extent to which that parent's income meets the needs of his/her ineligible alien child(ren) through the application of the stepparent/Ineligible Alien Parent provisions in Section 44-133.6.

(a) In applying the stepparent/Ineligible Alien Parent provisions pursuant to Section 44-113.142, only the extent to which the unaided parent's income meets the needs of the ineligible alien child(ren) shall be considered; no income from this unaided parent shall be deemed to the AU.

.1423 The deduction for the ineligible alien child(ren) is allowed from the aided parent's income only when:

(a) The ineligible alien child(ren) is not included in a Stepparent/Ineligible Alien Parent Unit, or

(b) The ~~Ineligible Alien Parent~~ has no income; or

(c) The stepparent/~~Ineligible Alien Parent~~ has insufficient income to meet the needs of ineligible alien child(ren) ~~not provided for in the Ineligible Alien Parent Unit~~ he/she has in common with the aided parent.

(1) The deduction allowed from the aided parent's income shall be the lesser amount between that established in this section and the amount determined in Section 44-133.634 concerning unmet needs of ineligible alien children.

(d) The ineligible child(ren)'s net non exempt income is not sufficient to meet his/her needs.

HANDBOOK BEGINS HERE

- .144 Determining the amount of the deduction from the aided parent's income for his/her ineligible alien children.

Computation Factors

- AFDC-AU consists of mother and two aided children.
- Ineligible Alien Parent Unit consists of Ineligible Alien Parent father and two ineligible alien children in common with the aided mother.
- Ineligible Alien Parent Unit has an unmet need of \$240 based upon the computation in Section 44-133.634.
- Aided mother has \$500 net non exempt.

Computation

- \$940 MBSAC for the number of aided persons (mother and two aided children) plus the number of ineligible alien children in common with the Ineligible Alien Parent (two children) for a total of five persons.
- \$694 MBSAC for the number of aided persons only (mother and two aided children) for a total of three persons.
- = \$246 Subtotal
- \$ 0 All combined income of the aided parent's child(ren) in the Ineligible Alien Parent Unit.
- = \$246 Potential deduction from the aided parent's income.

The deduction from the aided parent's income is the lesser amount between the unmet need of the Ineligible Alien Parent Unit (\$240) and the potential deduction from the aided parent's income (\$246). Thus, the deduction allowed from the aided parent's income would be \$240.

HANDBOOK ENDS HERE

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553 and 10554, Welfare and Institutions Code; 45 CFR 233.20(a)(3)(ii)(C) and (vi)(A); and Darces v. Woods, 35 Cal. 3d 871.

Renumber Section 44-133.611(c)(1) to Section 44-133.634(a) and amend Sections 44-133.33 and .6 to read:

44-133 TREATMENT OF INCOME -- AFDC (Continued)

44-133

.3 Income in Cases in Which a Parent or Child has been Excluded from the Assistance Unit (Continued)

- .33 If a parent or child living in the home is required to ~~apply for aid~~ be in the AU under Section ~~40-118 82-820.2~~, but is excluded from the ~~assistance unit~~ AU for reasons other than the provisions of Section 44-133.31, being a recipient of another aid program, being an Ineligible Alien parent or an ineligible alien child, or a member of a different ~~assistance unit~~ AU, when appropriate, a portion of his/her income is income to the ~~assistance unit~~ AU. This portion is determined as follows: (Continued)

133 If a parent is an ineligible alien/ his/her income is treated in accordance with Section 44-133.61

.4 (Continued)

.5 (Continued)

.6 Income In Cases Where A Stepparent Or Ineligible Alien Parent Resides In The Home

Regulations concerning income to the assistance unit from a stepparent (see Section 44-133.63) apply only when the stepparent resides in the same household with the aided children or unaided unborn (see Section 44-205.26) and their parent, but neither the stepparent nor any of his/her natural or adoptive children, are in the assistance unit.

Note: When the stepparent is included in the assistance unit (see Sections 44-203 and 44-205), the total amount of his/her net nonexempt income shall be income to the assistance unit for purposes of grant and eligibility computation.

When the stepparent is not included in the assistance unit but one or more of his/her children is in the assistance unit, the stepparent is an excluded parent. See EAS Section 44-133.3 for treatment of his/her income.

An Ineligible Alien Parent ~~means~~ is a natural or adoptive parent of an aided child and is a parent who is not eligible for assistance because he/she does not meet the requirements of citizenship or Eligible Alien Status.

.61 ~~Definition~~ Composition of Stepparent/Ineligible Alien Parent Unit

- .611 The Stepparent/Ineligible Alien Parent Unit may include, in addition to the stepparent or Ineligible Alien parent, any of the following individuals ~~related to the stepparent or ineligible alien parent~~:

- (a) His or her spouse;
- (b) His or her separate children; or
- (c) The child(ren) he or she has in common with his or her spouse.

11) When there is insufficient income to meet the entire needs of an ineligible alien child(ren), that child(ren) shall be allocated income, if any, from the aided parent in accordance with the deduction allowed for an ineligible alien child(ren) living in the same home as provided in Section 44-113.14.

- (d) Any other persons residing in the home who may be claimed by the stepparent/Ineligible Alien Parent as dependents for federal income tax purposes.

.612 No individuals who are may be included in the Stepparent/Ineligible Alien Parent Unit who shall not:

- (a) Be is required to be included in an assistance unit AU, or
- (b) Haves been excluded from the assistance unit AU pursuant to the provisions of Section 44-133.31. This provision applies only to the child(ren) whose needs are not entirely met. The other child(ren), if any, whose needs are entirely met shall remain in the Ineligible Alien Parent Unit and be deemed income accordingly.

.62 Needs of Stepparent/Ineligible Alien Parent Unit

When the stepparent/Ineligible Alien Parent is excluded from the assistance unit AU, the county shall determine his/her ability to support the Stepparent or Ineligible Alien Parent Unit on the basis of the AFDC Minimum Basic Standard of Adequate Care (MBSAC) (Section 44-207.112) plus any special needs, if applicable. See Section 44-211. Allow disregards from the stepparent's or Ineligible Alien Parent's gross income in accordance with Sections 44-133.631(a) through (c).

.63 Computation of Income to the Assistance Unit (AU)

.631 The stepparent's or Ineligible Alien Parent's income deemed available to the assistance unit AU is determined as follows:

- (a) Determine the stepparent's or Ineligible Alien Parent's net nonexempt income according to the provisions in Chapter 44-100.

- (1) When determining net earned income, the stepparent or Ineligible Alien Parent shall be entitled to the work expense disregard.
(Continued)

- (b) Deduct any amounts actually paid by the stepparent/~~I~~Ineligible ~~A~~Alien ~~P~~Parent to persons not living in the same home but who are, or could be, claimed by him/her as dependents for purposes of determining his/her federal personal income tax liability.
- (c) Deduct any child support and alimony payments made by the stepparent/~~I~~Ineligible ~~A~~Alien ~~P~~Parent to persons not living in the home.
- (d) Deduct the MBSAC amount for members of the stepparent/~~I~~Ineligible Alien Parent Unit plus any special needs, if applicable. See Section 44-211.

HANDBOOK BEGINS HERE

.632 (Continued)

.633 Example: Ineligible Alien Parent Income to the AU

Computation Factors

- Ineligible Alien Parent Unit consists of two persons (ineligible alien parent and one ineligible sibling of an aided child).
- AFDC-AU consists of two persons (the eligible mother and the mother's ~~one~~ aided child).
- The ~~I~~Ineligible ~~A~~Alien ~~P~~Parent earns \$900 within the month from ~~full~~ part-time employment.
- The ~~I~~Ineligible ~~A~~Alien ~~P~~Parent pays \$100 per month child support to his/her son who resides with the ~~I~~Ineligible ~~A~~Alien ~~P~~Parent's ex-spouse.
- No other payments are made by the ~~I~~Ineligible ~~A~~Alien ~~P~~Parent to persons living outside the home.

Computation

\$900	gross income of I Ineligible A Alien P Parent
<u>-90</u>	less standard work expense disregard
\$810	
<u>-100</u>	less child support paid
\$710	net income
\$710	net income
<u>-560</u>	less MBSAC for Ineligible Alien Parent Unit
\$150	I Ineligible A Alien P Parent income to the AU

HANDBOOK ENDS HERE

.634 Determination and Treatment of Unmet Needs of Ineligible Alien Children

(1a) When there is insufficient income based on the stepparent/Ineligible Alien Parent computation in Section 44-133.63 to meet the entire needs of an ~~Ineligible Alien child/ren/~~ that child/ren/ shall be allocated income, if any, from the aided parent in accordance with the deduction allowed for an ineligible alien child/ren/ living in the same home as provided in Section 44-113.14/ Parent Unit and the Ineligible Alien Parent Unit contains ineligible alien children of the aided parent, the county shall:

- (1) Determine the amount of unmet need resulting from insufficient Ineligible Alien Parent income by subtracting the amount of that income from the MBSAC for the Ineligible Alien Parent Unit. This unmet need shall be treated in accordance with the comparison required in Section 44-113.143(c)(1).

HANDBOOK BEGINS HERE

(b) Example: Determining Unmet Needs for Ineligible Alien Children

Computation Factors

- Ineligible Alien Parent Unit consists of the Ineligible Alien Parent and two ineligible alien children in common with an aided parent.
- Ineligible Alien Parent net nonexempt income is \$454.

Computation

\$694 MBSAC for the Ineligible Alien Parent Unit of 3 persons.

- 454 Net nonexempt income of the Ineligible Alien Parent.

= \$240 Amount of Unmet Need.

HANDBOOK ENDS HERE

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553 and 10554, Welfare and Institutions Code and 45 CFR 233.20(a)(3)(vi)(B) and (xiv).

NOTICES OF ACTION

Year ACL Issued: 1991

ACL Subject: AFDC Federally Mandated Exemptions/Alien Regulations
Revisions

NA 276 (1/92), Continuation Page - Unmet Need Deduction from Aided
Parent's Income

The NA 276 (1/92) is developed to allow for a deduction from an aided parent's income when there are unmet needs of ineligible alien children in common with an ineligible alien parent, an unmarried parent of ineligible alien children or a stepparent of ineligible alien children. This form shows that the amount which would be allowed as a deduction from the aided parent's income is the lesser of two subtotals. This computation is in compliance with the Darces and Ceja court cases.

Instructions for Updating of the AFDC NOA Handbook

- o Insert the new NA 276 (1/92), Continuation Page and the form instructions in Section V of the Handbook. (The attached Spanish translation of the NA 276 is not filed in the Handbook.)

TRANSLATIONS

The NA 276 will be translated into Spanish, Cambodian, Chinese, Lao and Vietnamese. The Spanish translation is attached.

The Asian translations will follow under separate cover from the Language Services Bureau to the County Forms Coordinators who currently receive translated forms.

STOCK

The NA 276 will not be stocked in the DSS Warehouse because of anticipated low volume of usage. A camera-ready version of the form in English and Spanish may be obtained by calling the Forms Management Bureau at ATSS 437-1907 or (916) 657-1907.

NOTICE OF ACTION

(Continued)

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Computation of Unmet Needs of Aided Parent's Ineligible Alien Children

Notice Date : _____
Case Name : _____
Number : _____

Month _____

COMPUTATION 1, UNMET NEEDS BASED ON UNAIDED PARENT'S INCOME

Unaided Parent Unit's Needs

Basic Need for _____ Persons	\$	_____	_____
Special Needs	+	_____	_____
Subtotal A – Total Needs of Unit	=	_____	_____

Unaided Parent's Net Income

Total Earned Income	\$	_____	_____
Work Expense Disregard	-	_____	_____
Other Countable Income (list sources)			
_____	+	_____	_____
_____	+	_____	_____
_____	+	_____	_____
Support Paid to Child or Former Spouse	-	_____	_____
Support Paid to Other Dependents Not in the Home	-	_____	_____
Subtotal B – Parent's Net Income	=	_____	_____

Unmet Needs, Computation 1

Total Needs of Unit (Subtotal A)	\$	_____	_____
Parent's Net Income (Subtotal B)	-	_____	_____
Subtotal C - Unmet Needs, Computation 1	=	_____	_____

COMPUTATION 2, UNMET NEEDS BASED ON CHILD(REN)'S INCOME

Ineligible Alien Child(ren)'s Net Income

Total Earned Income	\$	_____	_____
Work Expense Disregard	-	_____	_____
Other Countable Income (list sources)			
_____	+	_____	_____
_____	+	_____	_____
Subtotal D – Net Income of Child(ren)	=	_____	_____

Unmet Needs, Computation 2

Basic Need for _____ Persons (aided persons and aided parent's ineligible alien children)	\$	_____	_____
Basic Need for _____ Persons (aided persons only)	-	_____	_____
Net Income of Child(ren) (Subtotal D)	-	_____	_____
Subtotal E - Unmet Needs, Computation 2 (not less than \$ 0)	=	_____	_____

COMPUTATION 3, DEDUCTIBLE UNMET NEEDS

Unmet Needs, Computation 1 (Subtotal C)	\$	_____	_____
Unmet Needs, Computation 2 (Subtotal E)	\$	_____	_____
Deductible Unmet Needs (lesser of Computation 1 or 2)	=	_____	_____

Rules: These rules apply; you may review them at your Welfare Office: MPP 44-133.6

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of Page 1 tells how.

NOTIFICACION DE ACCION

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

(Continuación)

Cálculo de Necesidades no Satisfechas de los Niños Extranjeros que No Reúnen los Requisitos y que Tienen un Padre/Madre que Recibe Asistencia

Fecha de la notificación: _____

Nombre del caso: _____

Número: _____

Mes _____

CALCULO 1, NECESIDADES NO SATISFECHAS BASADAS EN LOS INGRESOS DEL PADRE/MADRE QUE NO RECIBE ASISTENCIA

Las necesidades de la unidad del padre/madre que no recibe asistencia

Necesidades básicas para _____ personas \$ _____
Necesidades especiales + _____
Subtotal A - Total de necesidades de la unidad = _____

Ingresos netos del padre/madre que no recibe asistencia

Total de ingresos ganados \$ _____
Deducción por gastos de trabajo - _____
Otros ingresos contables (anote las fuentes)
_____ + _____
_____ + _____
_____ + _____
Mantenimiento pagado al niño(a) o ex-esposa(o) - _____
Mantenimiento pagado a otros al cargo de él/ella que no viven en el hogar - _____
Subtotal B - Ingresos netos del padre/madre = _____

Necesidades no satisfechas, cálculo 1

Total de necesidades de la unidad (Subtotal A) \$ _____
Ingresos netos del padre/madre (Subtotal B) - _____
Subtotal C - Nec. no satisfechas, cálculo 1 = _____

CALCULO 2, NECESIDADES NO SATISFECHAS BASADAS EN LOS INGRESOS DEL NIÑO(S)

Ingresos netos del niño(s) extranjero que no reúne los requisitos

Total de ingresos ganados \$ _____
Deducción por gastos de trabajo - _____
Otros ingresos contables (anote las fuentes)
_____ + _____
_____ + _____
Subtotal D - Ingresos netos del niño(s) = _____

Necesidades no satisfechas, cálculo 2

Nec. básicas para _____ personas (personas que reciben asist. y niños extranj., los cuales no reúnen los requisitos, del padre/madre que recibe asist.) \$ _____
Necesidades básicas para _____ personas (sólo personas que reciben asistencia) - _____
Ingresos netos del niño(s) (Subtotal D) - _____

Subtotal E - Nec. no satisfechas, cálculo 2 (no menos de \$ 0) = _____

CALCULO 3, NECESIDADES NO SATISFECHAS DEDUCIBLES

Nec. no satisfechas, cálculo 1 (Subtotal C) \$ _____
Nec. no satisfechas, cálculo 2 (Subtotal E) \$ _____
Nec. no satisfechas deducibles = _____
(lo que sea menos de cálculo 1 o 2)

Reglamentos. Estos ordenamientos aplican; usted puede consultarlos en su oficina de bienestar: MPP 44-133.6

Audiencia con el estado. Si usted cree que esta acción está equivocada, puede pedir una audiencia. El reverso de la página 1 le explica cómo hacerlo.

INSTRUCTIONS

NA 276 (1/92) - Continuation Page - Unmet Need Deduction From Aided Parent's Income

Use as a continuation of a "Page 1" NOA to show how the amount of unmet needs of an ineligible alien child(ren) can be allowed as a deduction from an aided parent's income when there is another parent in the home who is unaided and there is a common ineligible alien child(ren). The definition of an unaided parent is one of the following: an unmarried parent of an ineligible alien child(ren), an ineligible alien parent or a stepparent of an ineligible alien child(ren).

The deduction for unmet needs of ineligible alien children is allowed from the net income of the aided parent.

UNAIDED PARENT UNIT'S NEEDS - COMPUTATION 1

Fill in the month the income is received. Fill in "Basic Need for _____ Persons" with the number of persons in the stepparent/ineligible alien parent/unmarried parent unit per MPP Section 44-133.61. The Basic Need is defined as the MBSAC amount for those persons. Add any special needs. Enter the total in Subtotal A.

Determine the net income of the unaided parent's unit by listing the income sources of the parent and allowing the appropriate deductions. Enter the resulting figure in Subtotal B.

Determine the unmet need of the ineligible alien child(ren) by subtracting Subtotal B from Subtotal A. The resultant figure is Subtotal C, the unmet need of the children in common with the aided parent after consideration of the unaided parent's income.

UNMET NEED - COMPUTATION 2

Compute the Countable Income of the ineligible alien child(ren) by totaling earned income less the work expense disregard and other countable income, if any, of the children. This is Subtotal D.

Determine Subtotal E by deducting the MBSAC amount for aided persons from the MBSAC amount for aided persons and the aided parent's ineligible alien child(ren). Deduct the child(ren)'s net income at Subtotal D. The result is Subtotal E, unmet needs of the ineligible child(ren) after consideration of the child(ren)'s income.

DEDUCTION FROM AIDED PARENT'S NET INCOME

The deduction allowed from the aided parent's income is the lesser of either Subtotal C or Subtotal E.

Fill in the page number and the number of pages at the bottom of the page.